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SUBJECT: GOT: NEW LAW ON THE MENTALLY DISABLED WILL ADDRESS CONCERNS RAISED BY NGO

[1](#)1. (U) Summary: An international NGO issued a report September 28 asserting that Turkey's treatment of the mentally disabled is "tantamount to torture." The report alleges that Turkish psychiatric institutions employ practices such as shock therapy and physical restraint in ways that violate international conventions. A GOT official told us the report is accurate, but that the fix is on the way; he said a comprehensive law adopted earlier this year will address the problems. End Summary.

NGO: Treatment "Tantamount to Torture"

[1](#)2. (U) The Washington, D.C.-based NGO Mental Disability Rights International (MDRI) released a report harshly critical of Turkey for its treatment of people with mental disabilities. The report claims that state psychiatric institutions subject patients to treatment that is "tantamount to torture" and violates Turkey's obligations under international conventions. MDRI asserts that Turkey lacks community-based support for mental patients and offers no alternative to state institutions where the mentally disabled are held separately from society in "prison-like incarceration."

[1](#)3. (U) The 81-page report, based on a two-year investigation, includes the following points:

-- Arbitrary Detention: Turkey lacks an appropriate law establishing an independent judicial review for committing patients to psychiatric hospitals. Therefore, all psychiatric patients in Turkish facilities are being held arbitrarily and in violation of international law.

-- Improper Use of Shock Treatment: Staff at psychiatric institutions employ painful electroconvulsive shock treatment in ways that violate the European Convention for the Prevention of Torture and World Health Organization (WHO) standards. Staff members apply shock therapy excessively, without using anesthesia or muscle relaxant, and also use shock therapy as punishment. Shock therapy is used on children as young as nine, though the WHO has stated that the treatment should be banned for children.

-- Malnutrition and Dehydration: MDRI observed children "dying from starvation and dehydration" in psychiatric facilities.

-- Lack of Rehabilitation: There is a broad lack of rehabilitation and physical therapy in Turkish institutions, and many patients face deteriorating physical and mental conditions as a result.

-- Physical Restraints: MDRI observed excessive use of physical restraints, including children tied to cribs and beds for extended periods.

GOT Official: New Law Will Address Problems

[1](#)4. (SBU) We discussed the report on October 4 with Mehmet Aysoy, acting president of the GOT's Presidency Administration for Disabled People. Aysoy flatly acknowledged that the report is accurate. However, he said MDRI representatives failed to meet with the GOT during their time in Turkey. If they had done so, he said, they would have learned that while they were conducting research in Turkey, the GOT was working to address the problems raised in the report.

[1](#)5. (U) Turkey's comprehensive new Law on the Disabled went into effect July 1 of this year. Aysoy said the implementing regulations for the law have not yet been adopted, but he expects that to happen by the end of November. The law will convert Turkey's treatment system for the mentally disabled from an "archaic" model based on large state institutions, to

a U.S.-style system focused on providing direct support to families to enable them to care for mentally disabled relatives at home, he said.

16. (U) Under the law, only the more severely mentally handicapped, whose conditions cannot be treated at home, will be placed in institutions. The number of institutions will be doubled, from 700 to 1,400, so that today's large institutions will be replaced by 20-patient facilities. The law will also establish regulations, consistent with EU standards, governing the commitment of patients to psychiatric facilities and the use of treatments such as shock therapy.

17. (U) Aysoy estimated it will take two years to fully implement the new law.

Comment: An Impressive Response

18. (SBU) We were impressed by the way Aysoy, a doctor of sociology and specialist on the handicapped, responded to the report. Before we even contacted him, he sent a letter to the Embassy outlining the new law. GOT bureaucrats usually bristle at international criticism, which they tend to attribute to political motives. But Aysoy, who drafted the new law, calmly accepted the substance of the report, while convincingly arguing that he is doing something about the problem. Still, his two-year timeline for implementing the new law appears optimistic. We will monitor progress, which may serve as a gauge for the GOT's ability to undertake the vast number of regulatory reforms required by the EU accession process.

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